

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:19CR142
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	
)	
JACOB P. RODDIE,)	<u>UNITED STATES OF AMERICA'S</u>
)	<u>SENTENCING MEMORANDUM</u>
Defendant.)	

Now comes the United States of America, by and through its counsel, Justin E. Herdman, United States Attorney, and Christopher J. Joyce, Assistant United States Attorney, and respectfully submits the following memorandum in order to provide information for the Court's consideration regarding the defendant's bond violation report and its potential effect on sentencing.

I. Bond Violation Report.

On August 31, 2019, several days before Roddie was scheduled to appear before this Honorable Court for sentencing, he was traffic stopped by Deputy Clouden of the Portage County Sherriff's Department near Nelson Ledges Quarry Park. Roddie told Deputy Clouden that he and his girlfriend, the front seat passenger, were on their way to West Branch State Park to camp.

During the traffic stop, Deputy Clouden observed what he believed to be marijuana in plain view next to the gear shifter in the vehicle. A police canine walked around the vehicle and alerted to the presence of drugs. Deputy Clouden then conducted a search of the vehicle.

Deputy Clouden located a vape pen and a vial of oil in Roddie's pocket, which Roddie advised was CBD (cannabidiol) oil. The front seat passenger, Roddie's girlfriend, admitted to being in possession of approximately a quarter ounce of marijuana and a pipe. A search of Roddie's book bag revealed a large amount of small plastic baggies, which, the deputy opined, are commonly used to package narcotics. The book bag also contained rolling papers.

Roddie's U.S. Pretrial Services Officer was notified about the above-described traffic stop. In response, the Pretrial Services Officer filed a report with the Court recommending that Roddie's bond be revoked. In light of the bond violation report, and its potential impact on sentencing, the sentencing hearing scheduled for September 4, 2019 was continued.

II. Investigation Findings.

In an effort to determine the impact the potential bond violation would have on sentencing, Roddie agreed to meet with law enforcement officers to discuss the traffic stop. On September 12, 2019, law enforcement officers from the Portage County Sheriff's Department interviewed Roddie. Roddie stated that he and his girlfriend were heading for Nelson Ledges Quarry Park for the Summer Dance music festival when they were traffic stopped on August 31, 2019. Roddie advised he was going there to hang out with his friends one last time before he was sentenced. Roddie advised he lied to Deputy Clouden on scene about where he was going because he recognized the officer from prior interactions and did not want to be questioned about going to Nelson Ledges Quarry Park. Roddie stated he was not aware his girlfriend had marijuana.

During the interview, Roddie gave consent for the officer to search his cell phone and perform an extraction of its stored data. Through the extracted data, law enforcement found two conversations that appear to involve the sale of drugs. The conversations are summarized as follows:

At 3:50 PM on August 28, 2019, Roddie received a text message from a contact in his phone, which asked, "L?" At 6:10 PM, Roddie responded, "Kinda hard at the moment." At 12:20 PM on August 29, 2019, Roddie texted, "Stuffing my face at the buff thinking about summerdance [an upcoming concert held at Nelson Ledges Quarry Park]." The contact then asked Roddie, "You going?" Roddie responded, "Yup Saturday to Monday got a buddy's show Friday in Akron." The contact then said, "I will be there sat." At 12:22 PM, Roddie sent a message to the contact which said, "Fuck ya my dude btw how much l you looking for?" Almost immediately, the contact replied, "Strip." At 12:24 PM, Roddie texted, "I'll look around because I want to get some more also u still got booms." The contact responded, "No I'm out." Roddie replied, "Right on I feel it." *By way of summary, it appears that "L" is slang for "LSD." This conclusion is supported by the referenced quantity being a "strip", which is a common quantity in which LSD is sold. "Booms" is also a slang term for mushrooms which contain the controlled substance psilocybe.*

On August 5, 2019 at 4:38 PM, Roddie asked a contact in his phone, "Sup home slice u able to get greens?" The contact responded, "I can hunt around How much?" Roddie responded, "Q or half depending on price." The contact responded, "Yeah I'll ask my guy I can grab it after I'm out the gym." Roddie responded, "Ok let me know my dude." At 5:30 PM, the contact asked, "70 a q 120 a h." Roddie responded, "Let me get the q what time u thinking?" At 7:26 PM, the contact replied, "I'd give me a little I just dropped off Jose I gotta grab cash go home eat

then meet dude.” Roddie then said, “Ok cool let me know when your on the way.” The conversation ended with the contact saying, “Dope will do.” *By way of summary, it appears that “greens” is slang for marijuana. This conclusion is supported by the referenced quantities of a “q” and a “half”. These are referring to a quarter of an ounce and a half of an ounce, which are quantities in which marijuana is commonly sold.*

III. Impact on Sentencing.

The communications on the defendant’s phone suggest that the defendant has engaged in drug activity as recently as August 29, 2019. These communications call into question the defendant’s truthfulness as it relates to the statements he included in the Presentence Investigation Report.

Respectfully submitted,
JUSTIN E. HERDMAN
United States Attorney

By: /s/ Christopher J. Joyce
Christopher J. Joyce (OH: 0086576)
Assistant United States Attorney
Federal Building
2 South Main Street
Akron, OH 44308
(330) 761-0521
Christopher.joyce@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of October, 2019 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Christopher J. Joyce

Christopher J. Joyce
Assistant U.S. Attorney